

REMARKS

By the amendment, claims 27-28, 30-38, 40, 54-65 and 67 are pending in the present application. Claims 1-26, 29, 39, 41-53 and 66 have been cancelled. Claims 27,31, 33-37, 40, 56-58, and 60-65 have been amended and claim 67 has been added.

CLAIMS OBJECTIONS

Claims 27, 35, 56, and 62 are objected to because allegedly the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed has possession of the claimed invention. The Applicant respectfully traverses this assertion.

For example, Paragraph [0073] of the present application the specification recites "it is possible that a transition zone for a separately detecting the disc information and the copy protection information is allocated to the PIC zone." The Applicant contends that the above quoted text, along with the other portions of the specification provides support for the features of claims 27, 35, 56 and 62. For at least these reasons, the Applicants respectfully request that the objections of claims 27, 35, 56 and 62 be removed.

REJECTIONS UNDER 35 U.S.C. §103

Claims 27-28, 30-40 and 54-66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ozaki et al. (Patent No. 5,572,502) (hereinafter "Ozaki") and further in view of Sako et al. (Pub. No. US 2003/017920 A1) (hereinafter "Sako"). The Applicant respectfully traverse these rejections.

The Applicant respectfully asserts that neither Ozaki nor Sako either separately or in combination teach, suggest or otherwise render obvious the

combinations set forth in the claims. The Applicant further asserts that there has not been a clear showing that the differences between the cited references and the claimed combinations set forth in the claims would be obvious to one of ordinary skilled in the art. For example, independent claim 27 has been amended to recite a recording medium including, among other things, wherein the “data structure of the copy protection information in a first specific data unit is different from data structure of the copy protection information in the second specific data unit, and at least one of the copy protection information in the first specific data unit and the copy protection information in the second specific data unit is formed as wobble pattern in the second area.”

The Applicant respectfully asserts that neither Ozaki nor Sako teach, suggest or otherwise render obvious the combination including the above quoted language. For example, Ozaki does not disclose the feature of copy protection information for use in generating or processing copy protected user data. In contrast, Ozaki describes in the specification that the copy protection code corresponding to the copy protection information indicates whether a disc is legitimate or illegal and whether copying data or information from a disc is permitted. See for example, specification of Ozaki at col. 6, lines 30-39 and other places throughout the specification. Ozaki does not teach, describe or otherwise render obvious including data to be used encrypting or decrypting data to be protected. For at least the reasons set forth above, Ozaki does not teach, suggest or render obvious the recording medium of claim 27.

The Applicant respectfully asserts that Sako does not cure the insufficiencies of Ozaki. Sako too is silent with respect to teaching the art suggesting or otherwise rendering obvious a combination including the above quoted portion of claim 27. Rather Sako describes a digital watermark as copy protection (see Abstract of Sako). For at least these reasons, the Applicants respectfully asserts that neither

Ozaki nor Sako either separately or in combination teach, suggest or otherwise render obvious all of the elements set forth in claim 27.

The Applicant respectfully asserts that the above quoted portions of claim 27 is not a trivial distinction as it can enhance the security of copy protection information. The Applicant respectfully asserts that the other independent claims pending in the present application, claims 35, 56 and 62 also contain language similar to that cited above with respect to claim 27.

The Applicant respectfully asserts that neither Ozaki nor Sako for at least the reasons set forth above with respect to claims 27 also failed to teach the language similar to that quoted above with respect to claim 27 found in claims 35, 56 and 62. For at least the reasons set forth above.

Therefore, the Applicants respectfully request that the rejections under 35 U.S.C. §103 of independent claim 27 and its dependent claims 28 and 30-34 and 54, and independent 35 and its dependent claims 36-40, and independent claims 56 and its dependent claims 57-61 and independent claim 62 and its independent claims 63-67 be removed.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 27-28, 30-38, 40, 54-65 and 67 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants hereby petition for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1,050 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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